

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT KELLY WALTERS,

Plaintiff,

No. CIV S-02-1784 EJG JFM P

vs.

R. CASTRO, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. By order filed March 16, 2005, the motion of defendants Baron, Barkley, Castro, Gillett, Hlusak, Hooper, Martin, O'Barr, Sandham, Srikureja and Wilson for summary judgment or, in the alternative, summary adjudication of issues pursuant to Fed. R. Civ. P. 56 was denied without prejudice to its renewal not later than thirty days after service of responses by Dr. Andrew Cochrane to written deposition questions to be issued by subsequent court order. Dr. Cochrane's responses were served on August 31, 2005. On October 5, 2005, said defendants filed a notice of renewal of their motion together with a request for relief from the deadline set in the court's March 16, 2005 order.

Good cause appearing, IT IS HEREBY ORDERED that:

1. Defendants' October 5, 2005 request for relief is granted;

1           2. Defendants' October 5, 2005 notice of renewal of summary judgment is  
2 deemed timely filed;

3           3. Defendants shall forthwith reserve a paper copy of their motion for summary  
4 judgment, filed August 12, 2004, and all documents filed in support thereof, on plaintiff at his  
5 address of record;

6           4. Plaintiff's opposition to defendants' motion, if any, shall be filed and served  
7 not later than thirty days from the date of this order; and

8           5. Defendants' reply, if any, shall be filed and served not later than ten days  
9 thereafter.

10 DATED: October 12, 2005.

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13 UNITED STATES MAGISTRATE JUDGE

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